



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

**Agency:** Department of Early Learning

**Subject of possible rule making:**

WAC 170-296-0020, WAC 170-296-0450, WAC 170-296-0520, and possible other sections in WAC 170-296 dealing with method of entry, times of entry, and access to records in licensed family child care homes.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 43.215

**Reasons why rules on this subject may be needed and what they might accomplish:**

Amend WAC 170-296-0450 & 170-296-0520, and create a new section to come into compliance with an oral ruling in DeLaO v. Arnold-Williams and Fernandez v. DSHS requiring the department to place limits on the times of inspection and areas that can be inspected in licensed Family Home Child Care. The Federal District Court ruling will invalidate portions of RCW 74.15 and existing rules unless these limits on time and area are not placed into rule. This would affect the ability of the department to perform the inspections that help ensure the health, safety, and general welfare of children in licensed child care.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

N/A

**Process for developing new rule (check all that apply):**

- ☒ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☐ Other (describe)

DEL will use negotiated rule-making to gather wide input on these rules. We will host meetings where participants will help write the rules. Information about the negotiations will be available on our website as locations are identified:

<http://www.del.wa.gov/ccel/rules/Rules.shtml#licensing>. We hope for a large turnout of parents, child care providers, and others with an interest in our children.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Joel Roalkvam  
PO Box 40970  
Olympia, WA 98504-0970

Phone: 360-725-4568

Fax: 360-413-3482

E-mail: [licensing.concerns@del.wa.gov](mailto:licensing.concerns@del.wa.gov)

**DATE**

12/18/06

**NAME (TYPE OR PRINT)**

Jone Bosworth

**SIGNATURE**

**TITLE**

Executive Director, Department of Early Learning

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